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July 10, 1997

BY HAND DELIVERY

Mr. William Caton
Office of the Secretary
Federal Communications Commission
1919 M Street, Room 222
Washington, D.C. 20554

Re: Petition for Expedited Rulemaking of LCI International Telecom Corp. and Competitive Telecommunications Association to Establish Technical Standards for Operations Support Systems, RM 9101

Dear Mr. Caton:

Please find enclosed for filing the original and four copies of the Comments of BellSouth Corporation in the above-captioned Rulemaking proceeding.

Also enclosed are a computer diskette containing this document in WordPerfect 5.1 format and an extra copy to be date-stamped and returned.

Sincerely,

Michael K. Kellogg

Michael K. Kellogg

BMM

Enclosures

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BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

In the Matter of	)	
	)	
Petition for Expedited Rulemaking	)	
of LCI International Telecom Corp.	)	
and Competitive Telecommunications	)	RM-9101
Association to Establish Technical	)	
Standards for Operations Support	)	
Systems	)	
	)	

COMMENTS OF BELLSOUTH CORPORATION

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July 10, 1997

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EXECUTIVE SUMMARY

In petitioning this Commission to establish technical and performance standards for incumbent LECs' OSSs, LCI and CompTel are attempting to dictate how their competitors should run their back-office operations. Imposing such standards, particularly on a national basis, would be both inappropriate and unnecessary.

Under the Commission's own view, the Telecommunications Act requires only that competitive carriers receive access to OSSs that is substantially the same as that the incumbent LEC provides itself. Neither the Act nor the Commission's orders provide any support for a requirement that the incumbent meet specified performance criteria beyond this requirement of nondiscrimination.

Moreover, national performance standards are not necessary to enforce the nondiscrimination rule. BellSouth, for instance, already provides nondiscriminatory access to its OSSs. BellSouth has negotiated performance measurements (including parity measurements) and reporting requirements with AT&T, is pursuing similar negotiations with other CLECs, and has included these measurements and reporting requirements in its General Statements of Terms and Conditions, which are currently being reviewed by State regulatory commissions. These performance standards are available to all carriers.

In the Telecommunications Act of 1996, Congress relied mainly on these types of privately negotiated agreements between competitors -- backstopped by State public utility commission

mediation and arbitration -- to implement local competition. National performance standards would effectively negate this process, impermissibly intruding on the role reserved to the States under the Act. Rather than dictating nationwide performance standards, the Commission should allow the CLECs and incumbent LECs to continue developing standards that are appropriate to the particular systems and applications at issue. Indeed, in declining to regulate electronic commerce, the Clinton Administration recently affirmed that where standards are necessary, private parties should take the lead in developing them.

Similarly, there is no statutory support for national technical standards. The Commission has already rejected requests that it develop such standards. This makes sense: Given the wide variety of OSSs already in place in the different LECs' networks, development of national standards will require industry-wide cooperation. BellSouth is actively participating in the various industry standards-setting organizations that are developing technical standards for OSSs, and has committed to deploying those interfaces when they are released. BellSouth respectfully suggests that the Commission should not intrude upon this complex, cooperative project, but instead allow the industry experts to continue their work.

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In its first local interconnection order, this Commission concluded that access to incumbent local exchange carriers' operations support systems ("OSSs") for pre-ordering, ordering, provisioning, maintenance and repair, and billing is necessary for competitors to successfully enter the local service market. The Commission found that new section 251 of the Communications Act requires that incumbent local exchange carriers ("incumbent LECs") provide nondiscriminatory access to OSSs, whether as a result of section 251(c)(3)'s requirement that incumbent LECs provide nondiscriminatory access to unbundled network elements, or pursuant to section 251(c)(4)'s requirement that incumbent LECs provide nondiscriminatory access to services for resale. First Report and Order, Implementation of the Local Competition Provisions of the Telecommunications Act of 1996, 11 FCC Rcd 15499, 15763, ¶ 517 ("Report and Order"), modified on reconsideration, 11 FCC Rcd 13042 (1996), petition for review pending sub nom., Iowa Utils. Bd. v. FCC, 96-3321 (8th Cir. filed

Sep. 6, 1996); partial stay granted, 109 F.3d 418 (8th Cir. 1996).

According to the Commission, if competing carriers are unable to perform traditional OSS functions such as pre-ordering, ordering, provisioning, maintenance and repair, and billing "in substantially the same time and manner" as the incumbent, competing carriers will be at a disadvantage. Id., 11 FCC Rcd at 15764, ¶ 518. The Commission subsequently affirmed that whatever interfaces the incumbent carrier uses for its own internal purposes, it "must offer equivalent access to requesting telecommunications carriers." Second Order on Reconsideration, Implementation of the Local Competition Provisions in the Telecommunications Act of 1996, 11 FCC Rcd 19738, 19739 at ¶ 2 (rel. Dec. 13, 1996) ("Second Recon. Order").

While purporting to embrace the Commission's nondiscrimination rule, LCI International Telecom Corp. ("LCI") and the Competitive Telecommunications Association ("CompTel") nevertheless have petitioned the Commission to adopt national performance and technical standards for OSS access that would go much further. See Petition for Expedited Rulemaking by LCI International TeleCom Corp. and Competitive Telecommunications Association (CompTel) at 7 (filed May 30, 1997) ("LCI/CompTel Pet."). Any such standards would be both inappropriate and unnecessary, since incumbents such as BellSouth have already implemented OSS interfaces that provide CLECs with "nondiscriminatory access." In BellSouth's region, CLECs can --

and do -- obtain nondiscriminatory, electronic access to BellSouth's OSSs in "substantially the same time and manner" as BellSouth's own service representatives. There is no basis for requiring BellSouth, at great expense of time and money, to redesign systems that already meet the Commission's standards, especially since BellSouth's interconnection agreements already require BellSouth to implement industry standards and deploy customized interfaces for particular CLECs.

BellSouth will discuss each of its interfaces below, explaining how each has been designed to ensure that CLECs enjoy access that is substantially the same as that BellSouth provides to its own personnel. With these types of systems in place, national performance standards of the sort suggested by LCI and CompTel are unnecessary.

This is particularly true since BellSouth has committed itself to meeting specific performance measurements, also described below, in a negotiated interconnection agreement with AT&T for every State in its region. These measurements are also contained in BellSouth's General Statements of Terms and Conditions. Negotiated agreements between competitors are exactly how Congress envisioned local competition would be implemented. By contrast, a federal regulatory edict establishing national standards might actually interfere with the industry's ongoing work to develop such standards.

BellSouth also opposes LCI and CompTel's suggestion that the Commission should establish national technical standards for

OSSs. Industry groups are currently working on such standards, and BellSouth has negotiated interconnection agreements that require it to implement them. Rather than short-circuiting this process by attempting to promulgate national technical standards, the Commission should allow these industry groups to continue their collaborative work.

I. BELLSOUTH CURRENTLY PROVIDES CLECs WITH NONDISCRIMINATORY ACCESS TO ITS OSSs

Despite its sweeping claims about what is, and what allegedly is not available from incumbent LECs, the LCI/CompTel petition is virtually devoid of discussion of the OSS access actually being provided by BellSouth and the other incumbent LECs. What little space LCI and CompTel devote to this issue consists primarily (in the case of BellSouth) of recitation of testimony presented by Ronald Martinez of MCI before the Georgia Public Service Commission, much of which is outdated and some of which is simply wrong. Indeed, many of Mr. Martinez's criticisms are directed at interim interfaces, even though BellSouth now provides electronic interfaces that afford nondiscriminatory access.

Had LCI and CompTel undertaken fairly to consider current real-world experience, they would have recognized that BellSouth currently provides CLECs with "nondiscriminatory access" to all five types of OSSs and thus verifiably satisfies all statutory and Commission requirements. It is also clear that OSS access is in no way hampering the development of local competition in

BellSouth's region: Over 30 CLECs have tested and deployed one or more of BellSouth's OSS interfaces and are able to use these systems to serve their customers.

A. Pre-Ordering

Pre-ordering is a generic term for a carrier's gathering of information about new or potential customers. It includes gathering and verifying street address information, telephone number availability, service and feature availability, due date information, and customer service record information. BellSouth currently provides CLECs with access to this information through its Local Exchange Navigation System ("LENS").

LENS is a real-time, interactive system that allows CLECs to access BellSouth's pre-ordering OSSs. CLECs can connect to LENS either through direct (LAN-to-LAN) connections, dial-up access, or public Internet access. Through the LENS interface, CLECs can access -- on a real-time basis -- the BellSouth OSSs that contain the information requested by LCI/CompTel.

For instance, if a CLEC initiates an address verification query through LENS, the LENS server will query the appropriate BellSouth database and verify the address on a real-time basis. And contrary to LCI's and CompTel's contentions, see LCI/CompTel Pet. at 77, a CLEC can use LENS to select and reserve telephone numbers (including vanity numbers) on a real-time basis. LENS may also be used to verify what features are available to particular end-user customers, either by entering a ten-digit telephone number or a street address. Entering a telephone

number, for instance, will return a list of all the features available on the switch that serves that wire center.

Through LENS, CLECs can also access BellSouth's Direct Order Entry Support Application system ("DSAP") to obtain estimates of possible installation schedules, based on field availability and technical factors such as switch cut-overs. A firm due date is set when the CLEC actually enters an order. See infra pp. 8-11.

Notwithstanding LCI's and CompTel's claims (LCI/CompTel Pet. at 76), CLECs may access customer service records on a real-time basis.[1] These records can be accessed through the LENS interface. To do so, the CLEC must initially furnish BellSouth with a customer service record letter of authorization indicating that no records will be accessed without prior customer permission. Thereafter, the CLEC can access information by pulling up a window reading: "I certify that I (or another representative of my company) have received this customer's permission to access, review and/or copy his or her records." Once the CLEC representative makes this confirmation (via a check box in the LENS window), the representative may then view the customer's telephone number, listed name, listed address, directory listing information, directory delivery information, billing name, billing address, service address, and product and service information.

[1]Citing privacy concerns, the Georgia and Louisiana Public Service Commissions have yet to approve real-time access to Customer Service Records.

Using LENS, a CLEC is able to perform pre-ordering functions without any assistance or intervention from BellSouth personnel. For the convenience of CLECs, BellSouth has made this single system available for both business and residential customers, even though its own personnel use different systems to perform pre-ordering functions for businesses in different states, and yet another system for residential customers.[2] For instance, a system known as Regional Negotiation System ("RNS") is used for most types of residential orders. Business customers in Alabama, Kentucky, Louisiana, Mississippi and Tennessee are served with the Service Order Negotiations System ("SONGS"), while business customers in Florida, Georgia, North Carolina and South Carolina are served using Direct Order Entry ("DOE").

Each of the systems used by BellSouth personnel functions in substantially the same manner as LENS. And most importantly, BellSouth's central OSS databases treat all queries alike, whether they be from LENS, RNS, SONGS or DOE. Queries from a

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[2]Certain complex services that are ordered in relatively low volumes, such as SONET rings and ISDN, may only be pre-ordered and ordered on a manual basis. Neither BellSouth nor a CLEC can access pre-ordering information for, or order such services, electronically. Instead, requests for such services are handled manually through a paper process, regardless of whether the Service Inquiry originates with a BellSouth customer representative or a CLEC. The service inquiry (and any subsequent service request) are handled by account teams that handle specific services and which make no distinction between orders generated by BellSouth and orders generated by a CLEC. Moreover, there is no merit to LCI's and CompTel's claim (LCI/CompTel Pet. at 77) that BellSouth has failed to indicate how CLECs can order these complex services. BellSouth has provided a detailed manual to CLECs describing how they can order complex services, and the issue is also covered in BellSouth's training course for CLECs.

CLEC are treated no differently than queries from a BellSouth service representative. Moreover, as described below, BellSouth's tests demonstrate that LENS is virtually identical in speed to RNS, SONGS and DOE, the interfaces used by BellSouth's customer services operators.

LENS, in addition, is more user-friendly than many systems used by BellSouth's own service representatives. LENS provides CLECs with a single interface for residential and business customers in all states in BellSouth's region. Furthermore, LENS is easier to use, since it relies on graphics and English-text prompts, as opposed to the codes and function keys used with systems like SONGS and DOE. Since LENS provides access to the same information in a more user-friendly manner, BellSouth easily satisfies the core requirement of providing CLECs with access to pre-ordering OSSs "in substantially the same time and manner" that it provides itself, in keeping with the Commission's requirements. See Report and Order, 11 FCC Rcd at 15764, ¶ 518.

Even though LENS provides CLECs with access that is substantially the same as -- or better than -- that which BellSouth provides itself, BellSouth also has negotiated with AT&T for "application-to-application" access to its OSSs. See LCI/CompTel Pet. at 9. Pursuant to section 252(i) of the Telecommunications Act of 1996, these interfaces are equally available to any other CLEC.

B. Ordering and Provisioning

Ordering and provisioning are the processes whereby the CLEC requests resold services or unbundled network elements from the incumbent LEC and then receives information such as a confirmation that the order has been accepted. BellSouth has provided CLECs with two industry-standard ordering systems.

CLECs may use the Exchange Access Control and Tracking ("EXACT") system for interconnection trunking and complex unbundled network elements such as local transport. This is the same industry-standard interface BellSouth uses to process access service requests from interexchange carriers.

The second interface, Electronic Data Interchange ("EDI"), was developed specifically for CLECs. BellSouth has made EDI available to CLECs since December 31, 1996, and has itself completed functional and capacity testing of the interface for ordering and provisioning. Currently, one competitive carrier, AT&T, has an EDI interface in actual use with BellSouth. EDI allows CLECs to order resold services and simple unbundled network elements such as unbundled loops and ports. BellSouth's interface meets the industry standards for EDI developed by the industry's Ordering and Billing Forum (a subcommittee of the Association for Telecommunications Industry Solutions), and allows a CLEC to transmit service requests in standard EDI format to BellSouth. As required by the EDI format, CLECs may specify that a customer be switched "as is" (no features or functions are added or deleted) or "as specified" (specified features or

functions are added or deleted). LCI's and CompTel's claim to the contrary is simply wrong. See LCI/CompTel Pet. at 77.[3]

CLECs not choosing to use EDI have another alternative. They may submit service requests for most non-complex services through LENS, which also supports the local service ordering request format developed by the Ordering and Billing Forum.

Whether a CLEC submits an order through EDI or LENS, it is first passed to BellSouth's Local Exchange Ordering ("LEO") database, which performs formatting and error checks. LEO then passes the complete and correct service request to BellSouth's Local Exchange Service Order Generator ("LESOG"), which generates order records that are automatically submitted to BellSouth's Service Order Control System ("SOCS"). In turn, the SOCS issues a Firm Order Confirmation and delivers service orders to downstream OSSs which actually select and assign loop facilities and cross-connect wiring functions. Despite LCI's and CompTel's contentions, a Firm Order Confirmation is generated without any manual steps that could operate as a "bottleneck." See LCI/CompTel Pet. at 77.

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[3]LCI and CompTel rely on prepared testimony submitted by Ronald Martinez of MCI to the Georgia Public Service Commission. LCI/CompTel Pet. at 77. However, in subsequent sworn testimony before that Commission, Mr. Martinez recanted his prepared testimony and admitted that CLECs can submit orders to BellSouth to switch "as specified" customers not subscribing to complex services. Testimony of Ronald Martinez, Consideration of BellSouth Telecommunications Inc.'s Services Pursuant to Section 271 of the Telecommunications Act of 1996 at 2695, Docket No. 6863-U (Ga. P.S.C. Mar. 7, 1997) ("Martinez Testimony").

BellSouth's service representatives themselves use the RNS, SONGS and DOE ordering systems to generate orders. In accepting such orders, the SOCS does not distinguish between CLEC- and BellSouth-originated order records. Instead, orders are scheduled and filled on a first-come, first-served basis, subject to the specifications laid out in the order request.

C. Maintenance and Repair

LCI and CompTel urge the Commission to require that maintenance and repair requests be handled on a first-come, first-served basis. LCI/CompTel Pet. at 15. Likewise, they suggest that the incumbent LECs should be required to develop real-time interfaces that will allow CLECs to enter and track trouble reports, receive estimates of repair completion schedules, and perform remote line tests. Id. BellSouth has already deployed systems that meet all these requirements.

BellSouth allows CLECs to access its Trouble Analysis Facilitation Interface ("TAFI"), which allows CLECs to input trouble reports, obtain commitment times and check on the status of previously entered reports.[4] TAFI in fact goes beyond these industry standard functions. TAFI automatically performs diagnostic tests, and, by interacting with other internal BellSouth systems, is often able to correct a trouble report while the customer is still on the line. For example, if a

[4]For "designed" services, CLECs can report troubles through the industry-standard electronic bonding interfaces currently used by interexchange carriers.

customer were to report a problem with call waiting, TAFI would first verify that the feature is listed on the customer service record. Then, depending on the nature of the problem, TAFI may be able to correct the problem by actually restoring the service to the line. TAFI will verify, for instance, that the program options in the central office switch are correct. If TAFI finds an error in the switch, it will automatically reprogram the switch to restore the service to the customer's line.

BellSouth's service representatives also use TAFI to respond to their customers' trouble reports. The only difference between the two systems is that the CLEC version of TAFI has been modified to (1) allow CLECs access to both business and residential customers through the same interface, and (2) ensure that CLECs are able to access only the records of their own customers.

There is absolutely no merit to LCI and CompTel's contention (LCI/CompTel Pet. at 77) that BellSouth has not furnished information on TAFI to CLECs. BellSouth has conducted three training sessions where interested CLECs have had the opportunity to use the TAFI system. Once a CLEC requests TAFI access, BellSouth conducts a special 2-day course for the CLEC's representatives explaining how to use TAFI. The CLEC representatives are also given a 350-page manual for CLECs explaining how TAFI works.

Nor will CLECs reselling have to engage in three-way telephone conversations with BellSouth's service centers and end-

users, see LCI/CompTel Pet. at 77, for TAFI is available to CLECs. CLECs are able to clear many trouble reports by accessing TAFI; if not, the CLEC can enter a trouble report using TAFI and obtain a commitment time without any intervention by BellSouth personnel.

D. Billing

BellSouth bills CLECs using its two billing systems -- Carrier Access Billing Systems ("CABS") and Customer Records Information System ("CRIS"). For the most part, these two systems function independently. CABS is a billing system for carriers that measures billable access usage and conforms to industry standards established by the Ordering and Billing Forum. CRIS was developed for billing end-users and is used to bill CLECs for resold services: It measures billable call events (e.g., the use of a vertical service that is charged on a per-use basis) and accumulates call record details.

A CLEC receives separate bills from the CRIS and CABS systems, just as a BellSouth end user who subscribes to a service that is recorded in both systems would receive two bills. While the separate bills involve different formats, BellSouth has negotiated with some CLECs to provide CRIS data in CABS format, and will be testing this feature in July, 1997. If the CLEC has questions about billing, it may contact BellSouth's Local Carrier Service Center, which can review the CLEC account and make changes and adjustments to the bill.

BellSouth additionally offers CLECs an electronic interface that provides access to items such as intraLATA toll usage, billable local calls, billable feature usage and operator service usage. This data transfer -- the Optional Daily Usage File -- is provided every business day. This information is available for resold lines, interim number portability accounts and some unbundled network elements, such as unbundled ports. CLECs may obtain this data electronically, allowing them to manipulate the data in any way they like. For instance, CLECs can use this data to prepare bills for end users, perform marketing studies, and conduct fraud protection. BellSouth already has provided over one million billable daily usage records using this system.

II. FEDERAL PERFORMANCE STANDARDS OR REPORTING REQUIREMENTS WOULD BE INAPPROPRIATE AND UNNECESSARY

As explained above, BellSouth has provided CLECs with access to the databases that are used by BellSouth's own service representatives for pre-ordering, ordering, provisioning, maintenance and repair, and billing. Access to these OSSs is provided through interfaces that are substantially the same as those available to BellSouth itself.

Completely overlooking these facts, LCI and CompTel argue that the Commission should require all incumbent LECs to meet a single set of performance standards for OSS access. LCI/CompTel Pet. at 23-29. LCI and CompTel propose that all service orders be filled within 24 hours, firm order confirmations be returned within 4 hours, telephone numbers be available immediately, usage

and billing information be provided within 24 hours, and service outages tracked and reported within 4 hours.

LCI and CompTel also have used this occasion to petition for additional rules that do not even relate to OSS access. For instance, they propose that bills from incumbent LECs to CLECs be closed within ninety days, and that the incumbent LEC be liable for lost CLEC revenue stemming from missing or erroneous billing data. LCI/CompTel Pet. at 14. None of these proposals finds any support in the Act, the Commission's implementing orders or sound policy, and they are beyond the scope even of LCI's and CompTel's supposed objectives in this matter.

The Report and Order requires that CLECs be able to "perform the functions of pre-ordering, ordering, provisioning, maintenance and repair, and billing for network elements and resale services in substantially the same time and manner that an incumbent can for itself." Report and Order, 11 FCC Rcd at 15764, ¶ 518. This is precisely what BellSouth has provided. And where this has been done, or can be done, imposing specific performance standards would create a wholly unnecessary burden for which there is no legal basis.[5]

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[5]Nor can there be any contentions that BellSouth's systems are not "operationally ready." LCI/CompTel Pet. at 16-21. For instance, BellSouth has conducted tests of its combined LENS/EDI interfaces at the volumes suggested by LCI and CompTel -- up to 5,000 total requests a day -- and the combined interfaces have sufficient excess capacity to handle double that volume. BellSouth based its testing on forecasts of CLEC usage, although its estimates may not be appropriate for incumbent LECs in different geographic markets. Appropriate load testing is always a factor of expected demand, and thus BellSouth suggests that national standards for load testing for either resold or

Since OSS systems are extraordinarily complex, the Commission can either rely on the market participants to apply their expertise to developing performance standards that meet their needs, or dictate a set of national performance standards applicable to all incumbent LECs but tailored to none. The only conceivable purpose of federal standards would be achieving a degree of national uniformity that, while perhaps an added convenience for CLECs that operate on a national basis, is nowhere required in the Act; is inconsistent with the carrier-specific development of OSSs over many years; and, unless set at the lowest common denominator, would be prohibitively expensive for incumbent LECs to implement.

Moreover, national performance standards would be superfluous. As part of its nine-state interconnection agreement with AT&T, for example, BellSouth voluntarily has agreed to provide AT&T with quality-of-service measurements. Other CLECs can obtain similar performance data through negotiated agreements; in the alternative, the AT&T/BellSouth agreement's provisions are available to other CLECs under section 252(i).

The AT&T/BellSouth agreement obligates BellSouth to report to AT&T detailed monthly statistics measuring provisioning, maintenance, billing, database (e.g., LIDB) access and account maintenance. These performance requirements also are included in the General Statements of Terms and Conditions currently being reviewed by the Alabama, Georgia, Louisiana, South Carolina and

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unbundled elements would be inappropriate.

Florida Public Service Commissions. Representative statistics include the percentage of electronic order rejects, percentage of firm order commitments issued within a stated interval, percentage of due dates that are met, percentage of trouble reports within thirty days of installation, average time required to query the BellSouth Line Information Database ("LIDB") and obtain a reply, and the number of AT&T (or other CLEC) customers that switch to another CLEC.

Under the terms of the AT&T/BellSouth agreement, these figures will be measured on both a region-wide and state-wide basis for BellSouth's own retail operations, AT&T, and all CLECs, allowing AT&T to compare BellSouth's performance in serving itself against BellSouth's performance in serving both AT&T and CLECs generally. Where applicable, the statistics also will be compared against historical measurements of BellSouth's performance. BellSouth has agreed to provide AT&T with initial measurements by September, 1997. Thereafter, data will be reported as required under the terms of the AT&T/BellSouth interconnection agreement.

In addition to comparing BellSouth's servicing of CLEC customers versus BellSouth's servicing of its own customers through the same OSSs, BellSouth is currently comparing the time required for a CLEC representative, using LENS, to access BellSouth's OSSs against that of BellSouth's own representatives, who use either RNS, DOE or SONGS to perform the same functions. BellSouth will randomly observe the order entry process in each

of the systems, sample actual orders from each system, and then analyze the response times. System response time will be measured for accessing a customer service record, validating an address, obtaining a telephone number assignment, obtaining a list of available features and services, and obtaining a due date.

While full-scale sampling has not yet been completed, BellSouth's preliminary results indicate that there is no significant difference between these interfaces. For instance, address validation takes 5.9 seconds using LENS, 4-6 seconds using RNS and 5.4 seconds using DOE. Telephone number assignment takes 4.1 seconds using LENS and 4.8 seconds using DOE. A list of available features may be obtained in 6.8 seconds using LENS, 4-6 seconds using RNS, and 5.0 seconds using DOE. These preliminary measurements indicate that the interfaces are comparable and that LENS provides CLECs with nondiscriminatory access to OSSs, as required by the Commission.

This data on OSS access is being submitted to State commissions like the Georgia Public Service Commission. That Commission, as LCI and CompTel observe, see LCI/CompTel Pet. at 79, also has been closely scrutinizing BellSouth's General Statement of Terms of Conditions for Georgia to verify that CLECs are in fact offered "nondiscriminatory access" to OSSs. Id. There is absolutely no reason to think that the Georgia PSC (and the other State commissions) will be less vigilant in the future.

State oversight is particularly important because Congress intended that local competition would be implemented through negotiations between incumbent LECs and their competitors, under the oversight of the State commissions. See 47 U.S.C. §§ 251-252. This is precisely what has happened in BellSouth's region: BellSouth has negotiated performance measurements, and these measurements are now being reviewed by the States. For the FCC to mandate national performance standards that effectively negate this process would be an intrusion into territory that Congress reserved to the States.

Any such standards, if held to be binding upon the Bell companies for purposes of "checklist" compliance under section 271, also would violate section 271(d)(4) of the Act. The Commission may not further delay in-region, interLATA relief by adding new burdens on the Bell companies that are not part of the local interconnection obligations established by Congress.

III. FEDERAL TECHNICAL STANDARDS LIKEWISE WOULD BE UNNECESSARY AND INAPPROPRIATE

LCI and CompTel also suggest that the Commission establish national technical standards. LCI/CompTel Pet. at 21-23. Where no such standards exist, LCI and CompTel argue that the incumbent LEC should be required to commit, through negotiation or arbitration, to adopt and implement such standards as soon as they are available. Id.

There is absolutely no reason for the Commission to establish, or initiate a negotiated rulemaking on, national

technical standards. As the Commission noted in its Report and Order, standards-setting organizations are making steady and significant progress in establishing industry-wide standards for OSS access. Report and Order, 11 FCC Rcd 15768, ¶ 527. LCI and CompTel do not dispute this. To be successful, such standards must be developed through a consensus-building process, for the incumbent LECs use different operating and administrative systems. The standards also must remain flexible enough to accommodate technological progress on both the incumbent LECs' side, and among CLECs. For that reason, development in a collaborative forum representing the entire industry is essential to ensure the standards are technically feasible and will receive widespread support.

BellSouth supports the industry's existing standards-setting initiatives, and is implementing the local service ordering standards developed by the industry's Ordering and Billing Forum. BellSouth also has committed in interconnection agreements with MCI, AT&T and others to implement national standards for pre-ordering interfaces as soon as they become available.[6] Inappropriate standards, which could require a time-consuming and expensive implementation process, would make it unnecessarily difficult to meet these commitments -- to the detriment of CLECs as well as BellSouth. The Commission thus should continue to

[6]LCI and CompTel imply that BellSouth has failed to adopt national technical standards for pre-ordering in its General Statements of Terms and Conditions. LCI/CompTel Pet. at 77. Since no such standards exist, however, it would be impossible for BellSouth to implement them.